Remarks

Status of the Application

Prior to entry of this amendment, claims 1-55 were pending. The Office Action mailed March 3, 2011 (the "Office Action") rejected claims 1-55 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,816,878 B1 to Zimmers *et al.* ("Zimmers"), in view of U.S. Patent 7,233,781 B2 to Hunter *et al.* ("Hunter"), in view of U.S. Patent 6,526,581 B1 to Edson ("Edson"), in further view of U.S. Patent Application Publication 2003/0131142 A1 to Horvitz *et al.* ("Horvitz").

This paper amends claims 1, 15, 27, 43 and 49. No claims have been added or canceled. Hence, after entry of this paper, claims 1-55 will stand pending for examination. Claims 1, 15, 27, 43 and 49 are independent claims.

Claim Amendments

Claim 1 has been amended to recite, "*wherein said event information includes at least one of information related to an event category under which the event falls and information related to specific details about the event.*" Support for this amendment may be found, e.g., in ¶ 0077 (describing grouping alert information into different information sets depending on type and/or content of the information), ¶ 0107 (describing event information including weather related event), ¶ 0108 (describing event information including national security related event), ¶ 0114 (describing event information including child kidnapping or national security related event; generally describing searching the text of the alert for certain key terms pertaining to the event), and ¶ 0128 (describing event information including environment, pollution, or allergy -related event). Claims 15, 27, 43 and 49 have been amended to recite similar subject matter.

Rejections under 35 U.S.C. § 103

Claims 1-55

Claims 1-55 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zimmers, in view of Hunter, in view of Edson, in further view of Horvitz. These rejections are respectfully traversed, because the Office Action has not demonstrated that the cited combination either teaches or suggests each element of any rejected claim.

Claim 1 as amended recites, inter alia, a system that "*receive[s] an alert via the at least one interface member, the alert being configured to describe an event and having associated information about the alert comprising event information characterizing the event, wherein said event information includes at least one of information related to an event category under which the event falls and information related to specific details about the event*," and "*wherein the alert gateway is . . . configured to analyze the event information and to determine to which of the two or more types of subscriber equipment to provide the alert as a function of analyzing the event information.*"

In other words, claim 1 as amended is directed to a system that receives an alert describing an event and having associated information that describes and characterizes the event, where the associated information includes event information including <u>information pertaining to the event category under which the event falls</u> (e.g., a weather event, natural disaster, civil defense warning, etc.) and/or <u>information pertaining to some specific detail of the event</u> (e.g., what type of weather event, natural disaster, or civil defense matter; locations and peoples affected; audio/video/text of the event itself, etc.). Based on an analysis of such event information (including <u>category or specific detail of the event</u>), the alert gateway determines where to send the alert.

The Office Action correctly concedes that neither Zimmers, Hunter, nor Edson discloses or suggests an alert gateway in communication with two or more types of subscriber equipment, and configured to analyze the event information and to determine to which of the two or more types of subscriber equipment to provide the alert as a function of analyzing the event information. The Office Action, however, relies on Horvitz to disclose this feature.

Although Horvitz does disclose a system that intelligently routes notifications to one or more of a plurality of devices, Horvitz fails to teach or suggest an alert gateway that analyzes the event information (including at least one of information related to an <u>event category</u> under which the event falls and information related to <u>specific details about the event</u>) and subsequently determines to which of the two or more types of subscriber equipment to provide the alert as a function of analyzing the event information (including <u>event category and/or specific event details</u>).

Horvitz's system performs this task in a manner that is quite different from claim 1 – i.e., **by forcing the notifications to comply with an XML schema**, which can be used to provide a variety of data characterizing the <u>notification itself</u> (e.g., notification message size, content type, etc.). *See* Horvitz, ¶ 0160 (disclosing explicit routing policies hard coded into the schema for determining how notifications should be routed), ¶ 0161 (disclosing a notification header that describes a class, title, and subscription identifier for the notification, which can all be used for routing), ¶ 0162 (describing notification body attributes, such as type of content, size of content, priority of content, etc.), ¶¶ 0165-69 (disclosing rendering preferences that describe how types of content can be summarized on a per-device basis and how content can be encoded in multiple ways for different devices, with encoding hints to indicate routing preferences).

In other words, Horvitz does **not** appear to disclose any functionality for analyzing, *as the basis of a routing determination*, any information characterizing an event (including <u>event category and/or specific event details</u>) that is the subject of the content in the notification. Instead, <u>Horvitz relies on the notification schema</u>, which Horvitz describes as "metadata about the subscription of a service to a source of information, as well as representing details about that information, including the nature, importance, time criticality or urgency of information, disposition over time of information provided by a message, and message handling preferences," to make a routing determination. *Id.*, ¶ 0159. Thus, Horvitz's system is unconcerned with the information provided by the content of the notification, because it relies on metadata about the content (or the notification itself) to make routing decisions, where the metadata or notification itself is carefully-formatted and received from an information provider to provide precise routing of the notifications.

Moreover, Horvitz discloses that, "[i]n general, a notification schema should consider allowing routing policies to be written directly into a schema by source processes, **versus always relying on a downstream information agent to infer routing policies from attributes of content, urgency and the like**." *See* ¶ 0160 (emphasis added). Thus, in addition to failing to disclose the functionality of claim 1 as amended, Horvitz actually teaches away from "determining to which of two or more types of subscriber equipment to provide the alert <u>as a function of analyzing the event information</u>" (emphasis added), because Horvitz teaches that it is beneficial to use schema-based policies, rather than notification content, to make routing

decisions (even assuming that metadata about notification content could be equated with the recited "event information").

In contrast, claim 1 recites a system that is capable of determining, from information characterizing the event (e.g., a natural disaster about which notification is distributed), rather than any metadata about the alert, which of the two or more types of subscriber equipment should receive the alert. Claim 1, as amended, further recites that the event information includes "*at least one of information related to an event category under which the event falls and information related to specific details about the event*," analysis of which is the basis for the routing determination.

In sum, none of Zimmers, Hunter, Edson, and Horvitz, either alone or in combination, teach or suggest all of the elements of claim 1 as amended. Thus, the rejection of claim 1 under § 103(a) should be withdrawn. The rejections of claims 15, 27, 43 and 49, which recite similar subject matter as amended claim 1, should be withdrawn for at least similar reasons. Claims 2-14, 16-26, 28-42, 44-48, and 50-55 are allowable at least by virtue of their dependence on allowable base claims.

Conclusion

Applicant believes that the pending claims are in condition for allowance. If it would be helpful to obtain favorable consideration of this case, the Examiner is encouraged to call and discuss this case with the undersigned.

This paper constitutes a request for any needed extension of time and an authorization to charge all fees therefore to deposit account No. 19-5117, if not otherwise specifically requested. The undersigned hereby authorizes the charge of any fees created by the filing of this document or any deficiency of fees submitted herewith to be charged to deposit account No. 19-5117.

Respectfully submitted,

Date: August 1, 2011   /Chad E. King/

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